

103^D CONGRESS
2^D SESSION

S. 2441

To provide for an independent review of the implementation of the National Implementation Plan for modernization of the National Weather Service at specific sites, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 19 (legislative day, SEPTEMBER 12), 1994

Mr. HEFLIN introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To provide for an independent review of the implementation of the National Implementation Plan for modernization of the National Weather Service at specific sites, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Weather Service Mod-
5 ernization Review Act of 1994”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) the safety and welfare of the public depends
2 on the provision of accurate and timely weather in-
3 formation;

4 (2) in general, the National Implementation
5 Plan for modernization of the National Weather
6 Service required under the Weather Service Mod-
7 ernization Act provides a cost effective approach to
8 initiation of weather service modernization;

9 (3) some geographic areas may not realize the
10 full benefits of weather service implementation under
11 the plan; and

12 (4) no independent process presently exists to
13 receive public comment, provide technical review, or
14 recommend remediation plans for communities or re-
15 gions of the country that assert that the National
16 Implementation Plan has resulted in or will result in
17 a degradation of existing service.

18 **SEC. 3. RESPONSIBILITIES OF THE SECRETARY.**

19 (a) The Secretary of Commerce (in this Act referred
20 to as the “Secretary”) shall provide for the public safety
21 by ensuring that the implementation of the National Im-
22 plementation Plan for the modernization of the National
23 Weather Service required under the Weather Service Mod-
24 ernization Act (in this Act referred to as the “National
25 Implementation Plan”) does not result in a degradation

1 of service in any specific geographic area, which shall in-
2 clude maintaining radar coverage with no degradation of
3 service for areas served by the National Weather Service
4 system, and also shall provide for radar coverage in some
5 areas which might not otherwise be adequate with respect
6 to specific unique weather phenomena which pose a sub-
7 stantial threat to public safety.

8 (b) Within 60 days after the date of enactment of
9 this Act, and biennially thereafter until 2 years have
10 passed after the implementation of the National Imple-
11 mentation Plan is completed, the Secretary shall publish
12 a notice in the Federal Register soliciting public comment
13 for a period of 60 days on specific geographic areas where
14 there is uncertainty whether such implementation will re-
15 sult in or has resulted in any degradation in service.

16 (c) Within 180 days after the date of enactment of
17 this Act, and within 60 days after the end of each biennial
18 comment period under subsection (b), the Secretary shall
19 enter into an agreement for an independent review, to be
20 completed within 180 days, by the National Research
21 Council of the National Academy of Sciences. The Sec-
22 retary, in consultation with the Modernization Transition
23 Committee established under section 707 of the Weather
24 Service Modernization Act, shall select geographic areas
25 for such independent review, based on comments received

1 through a public comment period under subsection (b).

2 Such review shall, for each geographical area selected—

3 (1) evaluate any unique or extraordinary weath-
4 er conditions in the area;

5 (2) consider the proposed NEXRAD radar cov-
6 erage for the area, particularly to determine if the
7 area is or will be in an area of weak radar coverage;

8 (3) consider the effects of closing any local
9 Weather Service office on local weather service and
10 interaction with local emergency management agen-
11 cies;

12 (4) consider the effects of transferring local
13 warning responsibility to a remote Weather Forecast
14 Office, including the effect on issuing weather
15 warnings by that remote office and communicating
16 with emergency management personnel with regard
17 to weather emergencies; and

18 (5) evaluate and compare the feasibility and
19 cost of proposed remedial actions, including options
20 for relocating overlapping military and civilian
21 NEXRAD facilities.

22 (d) The National Research Council shall submit rec-
23 ommendations, including any dissenting views, to the Sec-
24 retary regarding the need to supplement the National Im-
25 plementation Plan, revise any specific siting plans, estab-

1 lish radar coverage at altitudes less than 10,000 feet, or
2 improve radar coverage service.

3 (e) Within 60 days after receiving recommendations
4 from the National Research Council under subsection (d),
5 the Secretary shall transmit to the Congress a report con-
6 taining—

7 (1) the recommendations of the National Re-
8 search Council; and

9 (2) the actions the Secretary proposes to take
10 in response to those recommendations.

11 (f) For any area selected for review under subsection
12 (c), the Secretary shall take no action which may result
13 in a reduction of public safety, including the closure of
14 weather service offices, transfer of responsibilities or du-
15 ties of those offices, decommissioning of any warning
16 radar, or transfer or reduction in personnel in those of-
17 fices, until such time as the independent review is com-
18 pleted and a report with respect to such review is trans-
19 mitted to the Congress under subsection (e).

20 (g) In carrying out this Act, the Secretary shall con-
21 sult with the Secretary of Defense and with the Secretary
22 of Transportation with respect to coverage of those De-
23 partment of Defense radars and Department of Transpor-

1 tation radars, respectively, which supplement the civil
2 system.

